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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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In the Matter of

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| Number Portability Query Services |) | CC Docket No. 98-14 |
| |) | |
| Ameritech Tariff F.C.C. No. 2 |) | CCB/CPD 97-46 |
| Transmittal Nos. 1123, 1130; |) | |
| |) | |
| Bell Atlantic Tariff F.C.C. No. 1, |) | CCB/CPD 97-52 |
| Transmittal No. 1009; |) | |
| |) | |
| Southwestern Bell Tariff F.C.C. No, 73, |) | CCB/CPD 97-64 |
| Transmittal No. 2680; |) | |
| |) | |
| Pacific Bell Tariff F.C.C. No. 128, |) | CCB/CPD 97-65 |
| Transmittal No. 1962 |) | |

DIRECT CASE OF AMERITECH

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I. SUMMARY AND INTRODUCTION.

Ameritech files its direct case in response to the Order Designating Issues for Investigation ("Order") released in this matter on January 30, 1998. In its Order, the Commission designated for investigation certain issues regarding the long-term number portability query service and tariffs ("Query Service") tariffs of Ameritech, Bell Atlantic, Pacific Bell, and Southwestern Bell. Ameritech must admit that it was surprised by the

Commission investigation, since its Query Service cost support and pricing was scrupulously performed in conformance with the Commission's orders and prevailing practice concerning new switched access services. Moreover, its tariff provisions for traffic forecasts and discontinuance of service in the event that unqueried traffic creates a risk of network impairment are fully consistent with the Commission's policies and comparable provisions in Ameritech's access service tariffs.

In its direct case, Ameritech will respond to each of the issues raised by the Commission, and prove that Ameritech properly conducted cost studies and priced its Query Service as a new switched access service. In its Second Number Portability Order,¹ the Commission found that although LECs are not responsible to perform queries on traffic they receive from other carriers, they are still required to process that traffic. However, the Commission also held that LECs are entitled to be compensated for that function. To that end, Ameritech determined its direct costs of this new access service using accepted methodologies. Ameritech added to those costs a general overhead factor to recover costs not directly attributable to the service, as authorized for new access services.

Ameritech will show that all costs allocated to the Query Service are in fact direct costs attributable to the service. That is to say, each cost was

¹ Telephone Number Portability, CC Docket No 95-116, Second Report and Order, released August 18, 1997 ("Second Number Portability Order") at ¶¶73-75.

necessary to develop, establish or provide the service, and would not have been incurred but for the obligation to offer long term number portability (“LNP”) and/or Query Service. Ameritech will also show in Attachments 1 and 2 that it incurred significant direct costs to modify, enhance and augment its provisioning and maintenance support systems, and SS7 network to implement LNP and provide the Query Service all of which meet the above “but for” test.

In most cases, equipment, facilities or software required to provide the Query Service are also required to implement LNP. For that reason, the joint direct costs associated with these shared facilities was allocated between the two services based upon relative utilization. Ameritech will show that the allocation of direct costs to the Query Service was supported by demand forecasts that are based upon the best available information. Ameritech has carefully allocated any costs used to provide both LNP and Query Service between the two services (and thereby not included them for recovery for the other service). The bottom line is that there is no double recovery.

In its direct case, Ameritech will also show that its request for forecasts of projected traffic from carriers using its Query Service is a normal and necessary part of the relationship between a local exchange carrier (“LEC”) and an interexchange carrier, or for that matter, any other

interconnecting carriers. Forecasts are an essential ingredient to the provision of reliable service, and should be supported and encouraged by the Commission.

Ameritech will also demonstrate that its proposal for blocking of traffic that is creating an undue risk of network impairment is designed to carefully balance the preservation of high quality service for all users, with providing every carrier a reasonable opportunity to avoid blockage. Moreover, consistent with the Commission's policies, the provision applies on a nondiscriminatory basis to all users of the Query Service who create a risk of network congestion. Included should be carriers that grossly exceed their forecasts. The proposal provides, to the extent feasible, reasonable advance notice sufficient to enable carriers to either correct the condition, or make alternate arrangements. Even in cases where an offending carrier fails to respond, Ameritech will only block traffic to the extent necessary to reduce traffic levels to reasonable levels.

I. ANSWERS TO THE COMMISSION'S QUESTIONS.

1. Ameritech Properly Used Unseparated Costs.

In paragraph 9 of the Order, the Commission asks each carrier to indicate whether it used separated or unseparated costs. Ameritech used unseparated costs to develop the unit cost per query, since it is charging the same per query charge at the federal and state level. Mirroring of the

interstate rate at the state level is appropriate here, since the same facilities, equipment, databases and software are used to perform queries, regardless of whether the call is interstate or intrastate. As a result the per unit cost and rate of a query should be the same in both jurisdictions.

2. Only Direct Costs Were Considered.

In paragraph 9 of the Order, the Commission asks carriers to indicate “whether costs such as those incurred to modify SS7, OSS and billing systems are costs that are not directly related to providing number portability, and therefore not properly included in query charges.” In answer to the Commission’s question, Ameritech only considered the direct costs directly attributable to the Query Service. Included were applicable direct costs related to SS7, OSS and billing system modifications, enhancements and augmentations to the extent they were necessary for the provision of the Query Service.

In order to isolate the direct costs attributable to the Query Service, Ameritech first identified those costs directly applicable to long-term number portability. For that purpose, Ameritech assigned a unique initiative account code to all capital and expense expenditures that are directly attributable to providing LNP generally, and/or the Query Service, i.e., carrier-specific costs directly required to provide number portability. However, this unique initiative account contains expenditures used to

implement LNP generally, as well as to provide the Query Service. In fact, it turned out that number portability-related costs fall into three baskets. First, a few costs, such as certain billing systems modifications, are required solely for the Query Service. Second, some costs are required for both the Query Service and LNP generally. Third, most costs are required for LNP generally, but are not used to provide or bill the Query Service.

Since not every number portability cost is related to the Query Service, each capital and expense budget item in the account was analyzed by Ameritech to determine whether it was in fact directly associated and required to develop, provision, maintain, or bill the Query Service. If an item was required to implement LNP only (but was not used to provision, maintain, or bill the Query Service), it was excluded from the Query Service cost analysis. If a cost item was used to implement LNP and also to provide the Query Service, it was allocated between the functions based on the projected percentage of Query Service database queries to total queries.² Costs in the account required to solely provision, provide or bill the Query Service are recovered solely from that service. For instance, the billing implementation costs represent the cost to modify Ameritech's usage and

² To the extent that the Commission or other parties are tempted to use Query Service costs as a surrogate for LNP costs, it is important to note that even though there is significant overlap, there are also significant differences between the costs of LNP and the Query Service that mean that a separate inquiry must be conducted to calculate LNP costs. The fact is that the Query Service does not benefit from many modifications, enhancements and augmentation that were necessary to provide LNP and that none of those costs were allocated to the Query Service.

billing processes. These modifications are needed solely to properly identify/capture queries, format query usage, rate query charges and change billing format to bill Query Services for both Prearranged and Default Traffic carriers.

The account reflects employee related expenses required only for LNP. Realizing that additional employee related expenses would be required to implement and provide the Query Service, Ameritech projected these expenses by multiplying the employee related expenses for LNP by a factor representing the percent of additional employee related expenses required to provision the Query Service.

The bottom line is that all costs used to price the Query Service are direct costs. Costs that are common to both the Query Service and LNP generally were allocated. Thus, they will not be double recovered. Moreover, if these costs are not recovered from the Query Service, they will remain as direct costs of LNP, and will inflate the amount that will be recovered from end users through the LNP competitively-neutral cost recovery mechanism.

Ameritech does not agree with the assumption that underlies the Commission's question -- that the Query Service may not require utilization of SS7, OSS and billing systems, or that certain modifications, enhancements and augmentations of those systems and networks was not

required to provide the Query Service. The fact of the matter is, the Query Service requires the use of these systems and networks, and that Ameritech incurred significant costs modifying, enhancing and augmenting them in order to implement and meet the traffic demands of LNP and the Query Service. The modifications, enhancements and arrangements for Query Service are discussed in Attachments 1 and 2.

Since these modifications, enhancements and augmentations were necessary to provide the Query Service, they clearly qualify as direct costs. Stated another way, these costs would not have been incurred but for the obligation to provide LNP and the Query Service. However, even though these costs would not have been made but for LNP and the Query Service, in a few cases the associated systems could support other service applications. In those instances, Ameritech chose to make the enhancement or modification available for those other applications. This approach is efficient, cost effective and enhances customer service. As such, it should not be discouraged by the Commission by disqualifying the entire amount cost as a cost of the Query Service. Of course, in such cases Ameritech allocated the costs between all applications that benefited from them based upon relative usage.

3. Ameritech Properly Included Reasonable Overheads.

The Commission designated for investigation in paragraph 9 of the Order the issue of whether “carriers may include a fully distributed cost annual charge factor in query charges, and, if so, whether the carriers calculate their proposed factors appropriately.” The answer is that the Query Service, like other new switched access services, contains reasonable overhead loadings to recover costs not directly attributable to the new service.

In this regard, Ameritech would first like to clarify that it did not use a fully distributed cost methodology to develop its Query Service rates. Rather, it determined the incremental forward-looking costs of providing the service, and added a reasonable loading factor to those costs. The inclusion of an annual cost factor is consistent with how Ameritech and other LECs are authorized to develop new switched access rates since the inception of open network architecture (“ONA”). Because the Query Service is also a new switched access service, it likewise should receive reasonable loadings.

It must be remembered that Query Service, unlike those of LNP generally, is not the number portability required to be provided by LECs under Section 251(b)(2) of the Telecommunication Act of 1996, and that its costs are thus not subject to the “competitively-neutral cost recovery

requirement of Section 251(e)(2).³ Rather, under the Commission's Second Number Portability Order, the Query Service is a call-related database query service -- a service provided by a LEC to another carrier (the N-1 carrier) who is responsible for performing the query.⁴

The Query Service like other call-related database services (800 number portability and LIDB) is clearly an access service. For instance, in the 800 Data Base Access Tariffs Docket the Commission found that 800 number portability service is an access tariff service. In conjunction with the 800 service, the Commission further required that LECs perform queries on 800 traffic to determine the interexchange carrier that the 800 user had selected to carry the call. The Commission required that the LECs file access service tariffs governing this database access service.⁵

Under the Commission's Second Number Portability Order, the N-1 carrier is responsible to perform or arrange for the queries.⁶ However, the Commission also held that LECs should process unqueried traffic upon which no prearrangement had been made ("Default Traffic") received from N-1 carriers, and that the LEC is to perform the query on behalf of the N-1 carrier. The Commission also found that the LECs would be compensated

³ 47 U.S.C. 251(b)(2) and 251(e)(2).

⁴ Second Number Portability Order, at ¶¶73-75.

⁵ See, generally, 800 Data Access Tariff and the 800 Service Management System Tariff, and Provision of 800 Services, CC Docket No. 93-129 and No. 86-10, Report and Order, released October 28, 1996. ("800 Data Base Access Tariff Order Docket").

⁶ *Id.*

for the queries they perform on Default Traffic.⁷ Thus, since number portability is a call-related database, and the Query Service performs a query service for other carriers, Ameritech filed it as a new access service.⁸

Not only is the Query Service a new access service, but it is a competitive one. Under the Commission's rules, N-1 carriers are able to establish their own LNP databases and provide queries to themselves. N-1 carriers can also obtain query services from other carriers, such as Illuminet, who have established their own LNP databases. Moreover, under the Commission's First Interconnection Order incumbent LECs are required to offer unbundled access to their downstream number portability databases at cost-based rates.⁹ Since, the Query Service is competitive, there is no reason why users of that service should not pay the direct costs applicable to it, plus reasonable overheads. In fact, the only limit on rates should be imposed by market conditions, since if an N-1 carrier is dissatisfied with Ameritech's rates, the carrier is free to provide the service itself, obtain it from Ameritech's competitors, or order unbundled access to Ameritech's downstream database at cost-based rates.

⁷ Supra ¶175.

⁸ Number portability downstream database were declared to be a call-related database in Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Interconnection Between Local Exchange Carriers and Commercial Mobile Radio Service Providers, First Report and Order, released August 8, 1996 ("First Interconnection Order"). ¶148.

⁹ *Id.*

The question remains as to whether the Query Service qualifies for the application of the overhead factors under the Commission's existing orders. The answer is "yes," since the Query Service is a new access service it qualifies for the application of these loadings. In fact, the Query Service is comparable to an ONA basic service element ("BSE") upon which the Commission has authorized the recovery of reasonable overhead loadings for over five years.

4. Ameritech's Demand Forecasts Are Reasonable.

In paragraph 10 of the Order, the Commission designated for investigation "whether the carriers' basis for their demand forecasts are reasonable, and how carriers should treat their own demand for queries." The Commission also instructed the parties to "indicate whether they base their demand forecasts on queries for interstate traffic, intrastate traffic, or both." In answer to the Commission's question, Ameritech based its demand projections on its understanding of other carrier's plans, and its general knowledge of access traffic volumes and usage.

As stated earlier, Ameritech considered the projected level of query demand, when it determined the allocation of joint number portability costs to the Query Service. The allocation was made on the basis of projected utilization of the facility, equipment or software involved based upon the relative demand projections. Also, as discussed earlier, Ameritech used

unseparated costs to develop a uniform intrastate and interstate rate. As such, Ameritech properly used combined projected demand for both intrastate and interstate traffic.

Ameritech developed its the demand forecast for the Query Service starting with its projections of non-Ameritech terminating access traffic to Ameritech's End Offices and Tandem switches during the relevant period. It then estimated the percent of that traffic that would be unqueried. In order to best calculate that percentage, Ameritech (1) sent letters to interconnected carriers requesting whether they intended to send unqueried traffic to Ameritech, and if so at what level [Attachment 3]; and (2) conducted informational meetings with other incumbent LECs to ascertain the same information. [Attachment 4.] Although Ameritech requested this demand information from N-1 carriers in a good faith effort to obtain all available information it needed to project these carrier's needs, Ameritech did not receive any responses to its request.

Without actual carrier forecast information from the non-incumbent LEC carriers, Ameritech estimated demand based upon its knowledge of LNP, and the plans of these carriers. For example, Ameritech considered which carriers had SS7 capability or were deploying LNP capabilities, in an effort to determine the carriers who would likely prearrange with some

other carrier to meet their N-1 responsibility, e.g., other incumbent LECs associated with Illuminet who is currently marketing N-1 Query services.

Specifically, as described in Ameritech's Description and Justification Transmittal No. 1123, Ameritech's demand forecast was based on the following projections: (1) that the top three interexchange carriers will meet their N-1 carrier responsibilities through the use of their own databases and will not require Ameritech to perform queries, (2) the next top three interexchange carriers would likely only require that Ameritech perform queries on their traffic through the first half of 1998, and (3) Ameritech would perform queries on behalf of wireless carriers through 1999, when they are required to provide number portability on their own numbers. Ameritech determined that most of the balance of the interexchange carriers would likely use Ameritech's Query Service on either a prearranged or default basis during the tariff period, and included them in its demand forecast.

Ameritech's conclusion that it will receive little or no unqueried traffic for the three largest interexchange carriers was based on, (1) the participation of those carriers in the FCC LNP Field Trial in Chicago, and (2) the carriers' statements made in the Illinois Commerce Commission's LNP Workshops that they would install their own databases. Ameritech's conclusion that the next three largest interexchange carriers would also

likely send little or no unqueried traffic to Ameritech was based upon its understanding at the time that these interexchange carriers desired to implement N-1 query capability in their networks sometime in the second half of 1998.

Ameritech's inclusion of demand from wireless carriers through 1999 was based on, (1) the release time frame of vendor software to implement long-term number portability for wireless carriers, and (2) the fact that wireless carriers are not required to implement number portability until 1999. Further, a number of wireless carriers have publicly stated in comments and waiver petitions filed with the Commission, that they are not yet prepared to implement LNP.

Also, as previously discussed, the projected demand for the Query Service includes both interstate traffic and intrastate traffic. A combined demand forecast was used since Ameritech will charge the same rate to all N-1 carriers regardless of jurisdiction. The inclusion of both interstate traffic and intrastate traffic is required to develop a single per unit query cost for both intrastate and intrastate queries.

The bottom line is that only approximately 15% of the query demand is applicable to the Query Service. Equally as important, costs were allocated on the basis of the demand and there will be no double recovery.

5. Ameritech's Nonrecurring Default Billing Charge Is Reasonable.

The Commission designated for investigation in paragraph 14 of its Order, whether the Query Service nonrecurring billing charges “are lawful, whether these ‘nonrecurring’ charges are actually being applied on a recurring basis, and whether these rates have been set at appropriate levels. The Commission also asked responding parties to “explain with specificity how they derived these rates.” The answer is that this charge is properly a non-recurring charge that recovers costs that are only occur when an N-1 carrier sends Default Traffic to Ameritech. The rate is set at a level to recover those direct costs, plus a reasonable loading. The charge specifically recoups costs Ameritech incurs in manually identifying the carrier responsible for the traffic and in making arrangements to bill the applicable charges each month.

N-1 carriers who prearrange with Ameritech to perform queries on their Default Traffic establish a billing relationship with Ameritech, and provide in advance information needed for billing, e.g. switches where queries would be performed, Carrier Identification Codes (“CIC”) and billing accounts. This data enables Ameritech to establish on-going billing arrangements for the prearranged carriers in the switches and systems involved that permits billing on an automated basis. Thus, Ameritech does not have to manually investigate or re-establish billing arrangements every

month on prearranged traffic, and it does not charge the billing nonrecurring charge on an on-going basis.

Conversely, N-1 carriers who dump Default Traffic into Ameritech's network do not provide in advance the information Ameritech needs to automatically identify and bill for that traffic. As such, Ameritech is required each month to manually identify and investigate Default Traffic to determine the N-1 carrier responsible for it, and to prepare it for billing. The billing charge is based on the estimated number of hours Ameritech's service center personnel will expend to manually sort through the Default Traffic query usage, times Ameritech's standard labor rate for the job category involved. To this direct cost, Ameritech applied the overhead loading factor discussed above.

The Default Billing Charge is classified as "nonrecurring" because it only occurs when Ameritech manually investigates and bills an N-1 carrier for Default Traffic. Therefore, the billing charge may not be assessed each month to an N-1 carrier, but only when that carrier sends Default Traffic to Ameritech. The treatment of the billing charge as a non-recurring charge is consistent with the criteria Ameritech routinely uses to classify access service rates as "recurring" and "nonrecurring." A "recurring" rate is applied to the customer account from the time a service is ordered until the service is discontinued by the customer. The billing system classifies a

“nonrecurring” as one time charge or a conditional charge based on a event. The default billing charge is a conditional charge based upon the service center’s need to manually investigate Default Traffic usage and to prepare it for billing. Therefore is properly a “nonrecurring” charge.

Ameritech believes it is reasonable and proper to recover the additional labor costs involved in manually investigating and billing for Default Traffic. Other carriers and customers should not have to subsidize these carriers. The application of the charge also serves as an inducement for carriers to prearrange for the handling of their unqueried traffic, a step that reduces costs and increases network reliability.

6 The Forecasts and Blocking Provisions Are Necessary to Preserve Network Reliability.

The Commission designated for investigation at paragraph 13 of its Order, whether Ameritech’s “proposed estimates for prearranged query service are lawful and reasonable, particularly in light of Ameritech’s intention to base its blocking standard on such estimates.” The Commission asks Ameritech to:

describe precisely the information its seeks, to explain its reasons for requiring such information, and to indicate whether it requires carriers to identify the specific offices to which the N-1 carrier intends to deliver unqueried traffic or whether it is sufficient for them to specify in aggregate how much unqueried traffic they will deliver to end offices and how much to tandem offices.

The Commission also asks whether the estimates are “burdensome.” In particular, the Commission inquires whether Ameritech’s tariff complies with the Commission’s orders in Docket 95-116, in particular the requirement that LECs block on a “nondiscriminatory” basis” and “only in circumstances when a failure to do so is likely to impair network reliability.” The Commission finally noted that it had held that it would “allow LECs to block default-routed calls” but did not say such blocking would be permissible for “prearranged calls.”

Ameritech’s request for forecasts of unqueried traffic is designed to establish normal joint planning between connecting carriers. Such forecasting is essential to enable Ameritech to engage in network facility planning with N-1 carriers so Ameritech can anticipate changes in traffic demands before they occur and thereby avoid congestion. This type of joint cooperation has for many years been used in the access marketplace to help ensure that LECs have sufficient facilities to handle switched access traffic from interexchange carriers.

As the North American Numbering Council (“NANC”) found and the Commission recognized in its Second Number Portability Order, Default Traffic poses a risk of network “overload or congestion” and that allowing LECs to “block” Default Traffic is necessary to preserve network

reliability.¹⁰ The request for forecasts responds in a constructive way to reducing this concern by helping to ensure that network congestion does not occur in the first place.

In regard to the Commission's question if forecasting of traffic volumes creates a burden, Ameritech points out that forecasting of traffic levels has been a necessary part of normal network planning for all carriers, and that default N-1 carriers will likewise need to forecast their own traffic so they can design and engineer their networks. All that Ameritech is asking is that these carriers share that information with Ameritech, so it can design and engineer its network to handle the traffic it will receive from the N-1 carriers.

Anticipating and controlling network traffic levels is an essential requirement of number portability network reliability. Components of Ameritech's SS-7 signaling network have been deployed in mated pairs to ensure uninterrupted service, even in the event of a (single) node failure. This has been accomplished by engineering each individual component to handle no more than 40% (0.4 Erlang) of its available (10HDBH) capacity. The use of mated pairs is in compliance with generally accepted industry requirements, as detailed in Bellcore documentation GR 905 CORE. The standard is necessary so that if one component fails, its in-service mate can

¹⁰ at ¶¶76-78.

handle both its own load and the load of its failed partner. To do otherwise would defeat the entire purpose of having mated pairs, since each unit would not have the available capacity to back-up the other. That is to say, under the Bellcore standard, even after one component failure, its in-service mate should still only be operating at 80% of its available capacity. Since the remaining 20% must be reserved to provide a cushion to handle peak conditions and essential maintenance overhead messaging, at this point the traffic load is considered to be at a critical level.

Thus, any volume of traffic that exceeds 80% of the capacity of one of the mated-pair of component involved in processing the calls, immediately places the SS7 network in an unstable and unpredictable condition. Unless that situation is promptly remedied, it creates a high potential of spontaneous loss or delay in call processing, both at the immediate point of congestion, and in a domino-like fashion, at other interconnecting points.

As such, Ameritech and other SS7 network providers have always felt a strong obligation to take all necessary steps to prevent and promptly remedy situations where they do not have sufficient capacity so that a single component failure would cause network blockage. Since individual component failures can and do occur, Ameritech takes all reasonable steps to have sufficient spare capacity to handle such situations. This means that signaling traffic on a mated pair should not be allowed to exceed 80% of the

available capacity of each single component. Ameritech has proposed to apply the same principle here and to block unforecasted unqueried traffic that causes traffic levels to exceed the 80% threshold.

In order to help ensure that the 80% threshold is not exceeded, Ameritech has requested that all N-1 carriers intending to forward unqueried traffic to Ameritech, identify themselves, and to provide rolling three-month forecasts of the estimated traffic volume which will be forwarded to Ameritech's tandems or end offices. Such information should be provided by monthly total and maximum busy hour counts. This level of detail is required to answer two questions for the traffic engineers: 1) Which signaling components may be impacted by external LNP query demands? and 2) How much additional load will be placed upon those components?

In answer to the Commission's question about simply providing aggregate traffic volumes without identifying the delivery point, (end office or tandem), such aggregate data would serve no useful purpose, since it does not tell Ameritech which facilities may need to be augmented. For instance, augmenting link sets serving a downtown Chicago tandem switch or end office, does no good if the additional traffic load is sent to a north suburban switch.

It should also be recognized that network engineering is an ongoing process - literally thousands of signaling components must be continuously

monitored. The need for augmentation is route and switch specific and must be performed to each such component before demand increases. The fact that a component met yesterday's demand does no good if that demand has significantly increased today. Thus, the demand projections must be made months in advance and updated on a regular basis.

The interconnecting carriers themselves are the only parties in a position to forecast how much traffic they will be generating and where it will be delivered. No carrier should be expected to size, at its own peril, its network to handle any amount of volume of spontaneous or non-forecasted traffic. They also should not be required to speculate on the market plans of other carriers. Such an obligation would lead to stranded resources and costly overbuilds.

Regarding network blocking, in its Second Number Portability Order, the Commission authorized LECs "to block default traffic routed calls when performing database queries. . . is likely to impair network reliability." The Commission also required that the blocking standard be applied "to calls from all carriers on a nondiscriminatory basis."¹¹ Ameritech's blocking proposal simply implements the Commission's requirement that LECs block unqueried traffic that may impair network reliability on a nondiscriminatory basis. The principle of first blocking the traffic that is

¹¹ at ¶78.